

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-23668-2022

Date of order: June 02, 2022

Dinesh Kumar Arora

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. APS Deol, Senior Advocate with
Mr. Himmat Singh Deol, Advocate,
for the petitioner.

Ms. Ruchika Sabarwal, AAG, Punjab.

Mr. G.S. Kaura, Advocate,
for the complainant.

Vivek Puri, J.

Petitioner – Dinesh Kumar Arora is seeking regular bail in the case bearing FIR No. 0002, dated 17.03.2022, under Sections 341, 342, 343, 354, 354-A, 354-B, 354-C, 328, 420, 120-B of the Indian Penal Code (for short 'IPC'), registered at Police Station Women, District SAS Nagar.

Briefly, the FIR has been registered on the allegations that the complainant is a student of LL.B final year. P.T.C. Punjab had given an advertisement on television with regard to organizing Miss P.T.C. Punjaban contest and in a good faith, she took permission from her parents and submitted application for participating in the contest. After participating in the audition, the complainant was selected for the contest. Thereafter, she was called at Hotel J.D. Residency, S.C.F. 116, Phase-5, Industrial Area, Sector 58, District S.A.S. Nagar. The other contestants were staying in the said hotel. The complainant left her belongings in room no. 002 and thereafter, made to sit in a vehicle. She was taken to Plot No. 138, where the accused had established their studio. The practice continued upto 11 P.M. and thereafter, the contestants were dropped at the hotel. On the next day, the contestants were made to sit in a grey coloured car along with male members and were taken to the studio. The unknown male members disclosed their fake names and were talking with each other in code words. They touched the complainant and other contestants with evil intention. They were taken to a studio and from there to a secret kothi for the purpose of shooting. The contestants were called to a secret room. They were asked weird questions and also inappropriately touched on the pretext of measurements and

asked to remove their clothes. The innocent girls were entrapped with an intention to physically exploit them. Niharika told the complainant that if she wants to be Miss Punjab, she will have to do lot more compromises. Niharika, Nancy Ghuman and Bhupinder Singh along with others in connivance with each other had been supplying girls to highly influential persons. Nude photographs were clicked on the pretext of photo-shoot with an intention to blackmail the contestants. They were also asked to give consent for flesh trade. Niharika threatened them either to sleep with the Director and his close friends or the nude/indecent videos will be made viral. Niharika, Nancy Ghuman and Bhupinder Singh are the masterminds of the conspiracy and even tried to physically exploit the complainant. The complainant was told by the accused that she will be allowed to participate in the competition after receiving Rs. 12-15 lakhs otherwise, follow their dictates and sleep with the Director and other office bearers. On the refusal of the complainant, the aforesaid three accused encircled her and locked her in a room. She was made to sign on some blank/printed papers under threat. She was always kept away from other contestants and forcibly locked in the room of the hotel. She was not even allowed to go out and talk to anyone. Niharika and Nancy Ghuman kept her locked in a room regularly for 5 days and was not allowed to

go out. She was supplied with a water bottle with an open cap and after consuming the same, on many occasions she felt dizziness which led to the state of partial sleep. The complainant subsequently came to know that some intoxicant substance was mixed in the water being given to the contestants in order to reduce their consciousness and raise sexual desire. The complainant had also clicked one video of such water bottle. Almost all the persons residing in the premises had been consuming intoxicants. They also used to give intoxicant substance to the contestants after mixing the same with eatables and then physically exploit them. The complainant had raised alarm on many occasions, but no one listened to her. The accused are having high links who are running business of flesh trade and drug racket under the garb of this competition. The complainant tried to come out on many occasions but she was kept confined. On finding an opportunity, the complainant called her father who tried his level best to rescue her and even filed a Habeas Corpus petition in this Court. A warrant officer was appointed and the complainant was rescued from the clutches of the accused and she reached back her house during the night hours of 15.03.2022 along with her father in a pitiable condition. The complainant also conducted search on the google and found the accused had not taken any permission from

Broadcasting Ministry or from the Government and they had also given incomplete details. Under the garb of the contest, the accused are running the business of flesh trade and also indulging in drug trafficking. The contestants are being physically exploited. Accordingly, on the basis of the complaint, the FIR has been registered.

I have heard learned counsel for the parties and perused the record.

Mr. A.P.S. Deol, learned Senior Advocate on behalf of the petitioner contends that the petitioner is the owner of the Hotel J.D. Residency where the contestants were made to stay. All the guests in the hotel were made to stay there after due verification of their documents and complying with all the formalities. The petitioner has no concern with PTC or the contest or the contestants or the organizers of the contest. The DVR depicting the CCTV footage of the hotel premises has been taken into possession by the police authorities. Nothing incriminating has been found against the petitioner in the CCTV footage. He is being falsely implicated only on the score that the contestants were putting up in the hotel owned by him. Moreover, Rabindra Narayan co-accused has been granted regular bail and Nancy Ghuman, Bhupinderjeet Singh, Lakshman Kumar and Niharika Sharma, co-accused have been granted

interim anticipatory bail vide order dated 23.05.2022 by this Court.

Learned State counsel has opposed the bail application on the score that the petitioner is the Managing Director/owner of the hotel and contestants had been staying there. There are allegations to the effect that some intoxicants were supplied to the contestants in the hotel premises.

Learned counsel appearing for the complainant has opposed the bail application on the score that the petitioner through his employees had installed hidden cameras in the rooms and the washrooms of the hotel premises.

On a query, the learned State counsel on the instructions of SI Amandeep Kaur, states that no such hidden cameras from the washrooms were found during the course of investigation.

The petitioner is the owner of the Hotel J.D. Residency where the contestants were staying. There is nothing to indicate that the petitioner was in any manner concerned or associated with Miss P.T.C. Punjaban/Punjabi contest. The record of the hotel premises has already been taken into possession during the course of investigation. As per the allegation, 24 contestants were to participate in the event. Besides the complainant, no other contestant has

come forth and imputed any allegation against the organizers of the event. All the other contestants continued their participation in the event. Neither any other contestant nor their family members raised any grouse or pointed any accusing finger against the petitioner or employees of hotel or the organizers of the event. Even the CCTV footage does not indicate that any of the contestants was put to any restraint. Report of FSL has not been received and as such, it cannot be concluded at this stage that any stupefying, intoxicant or unwholesome drug was administered to any of the contestants by mixing the same in the water bottles. The arrest of the petitioner was effected on 25.04.2022. After a police remand of 5 days, he was remanded to judicial custody. The total custody of the petitioner is to the extent 01 month and 08 days. The custodial interrogation of the petitioner is over and he has been remanded to judicial custody. Moreover, the co-accused, namely, Rabindra Narayan has been granted regular bail and Nancy Ghuman, Bhupinderjeet Singh, Lakshman Kumar and Niharika Sharma have been granted interim anticipatory bail by this Court vide order dated 23.05.2022. The conclusion of investigation and presentation of challan is likely to take some time. In such circumstances, no fruitful purpose would be served by detaining the petitioner in custody.

Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner Dinesh Kumar Arora be released on bail on furnishing bail bonds to the satisfaction of the learned Illaqa Magistrate/Duty Magistrate.

Instant petition is allowed, accordingly.

June 02, 2022
vkd

[Vivek Puri]
Judge

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No